

AMENDED IN SENATE JULY 17, 2007

AMENDED IN ASSEMBLY JUNE 1, 2007

AMENDED IN ASSEMBLY APRIL 9, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1049

Introduced by Assembly Member Solorio
(Coauthors: Assembly Members Carter, DeVore, and Dymally)
(Coauthor: Senator Romero)

February 22, 2007

An act to add and repeal Section 3054.5 of the Penal Code, relating to parole.

LEGISLATIVE COUNSEL'S DIGEST

AB 1049, as amended, Solorio. Parole: reentry programs.

Existing law, until January 1, 2010, requires the Department of Corrections and Rehabilitation to establish a pilot program in East Palo Alto for parolees returning to East Palo Alto to conduct needs-based assessments of the individual parolees, partner with East Palo Alto police officers, and blend enforcement and programming services, as specified.

This bill would require the Department of Corrections and Rehabilitation to establish reentry programs for parolees between ~~18~~ 16 and 23 years of age to assist in community reintegration upon discharge from prison in the ~~Cities of Adelanto, Anaheim, El Monte, Fresno, Gardena, Los Angeles, Marysville, San Diego, San Francisco, San Jose, Stockton, Venice, and Visalia~~ *detention, as specified*. The reentry programs would include construction training, academic services, counseling, and tracking of graduates after completion of the program.

The bill would require the department to maintain statistical information related to the reentry programs, as specified. The bill would also provide that these provisions would be repealed on January 1, 2011.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3054.5 is added to the Penal Code, to
2 read:

3 3054.5. (a) This section shall be known as the “Rebuilding
4 Communities and Rebuilding Lives Act of 2007.”

5 (1) The Department of Corrections and Rehabilitation, to the
6 extent funds are appropriated for the purpose of this ~~bill~~ *section*,
7 shall establish a reentry program specifically targeting offenders
8 who will be between ~~18~~ *16* and 23 years of age upon their release
9 or discharge from a facility or program operated by the department
10 ~~or a county~~. The department, through the Division of Juvenile
11 Programs, shall preenroll eligible youths into eligible community
12 programs, as defined in this ~~section, located in the Cities of~~
13 ~~Adelanto, Anaheim, El Monte, Fresno, Gardena, Los Angeles,~~
14 ~~Marysville, San Diego, San Francisco, San Jose, Stockton, Venice,~~
15 ~~and Visalia~~. *section. The department, through the Division of*
16 *Juvenile Programs, additionally shall work with counties to*
17 *facilitate the preenrollment of eligible youth from county detention*
18 *facilities into eligible community programs, as defined in this*
19 *section*. Priority shall be given to programs that have existed for
20 at least one year prior to the effective date of this section and to
21 those eligible community programs that have operated at any time
22 in the previous three years.

23 (2) Beginning January 1, 2008, the department shall identify
24 each youth that meets the eligibility requirements of this section
25 and is scheduled to be released or discharged from a facility or
26 program operated by the Division of Juvenile Facilities no later
27 than December 31, 2008. No less than 45 days prior to the
28 scheduled release date of an eligible youth, the department, in
29 coordination with the Director of the Employment Development
30 Department and the appropriate eligible community program, shall
31 enroll a youth in any eligible program located in a city no more
32 than 60 miles from his or her last known address, or intended

1 release city. Participation of an eligible youth in any eligible
2 community program shall commence no less than 72 hours upon
3 release or discharge from a facility operated by the department.
4 Enrollment and participation ~~is~~ *are* subject to the approval of each
5 program.

6 (b) For purposes of this section, an “eligible community
7 program” means, at a minimum, a program that provides all of the
8 following:

9 (1) Integrated education and job training services and activities
10 on an equally divided basis, with 50 percent of participants’ time
11 spent in classroom-based instruction, counseling, and leadership
12 development instruction, and 50 percent of participants’ time spent
13 in experiential job training.

14 (A) The education component described in this paragraph shall
15 include basic skills instruction, secondary education services, and
16 other activities designed to lead to the attainment of a high school
17 diploma or its equivalent. The curriculum for this component shall
18 include math, language arts, vocational education, life skills
19 training, social studies related to the cultural and community history
20 of the participants, and leadership skills.

21 (B) Bilingual services shall be available for individuals with
22 limited English proficiency, and an English learning curriculum
23 shall be provided where feasible and appropriate.

24 (C) A program shall have a goal of a minimum
25 teacher-to-student ratio of one teacher for every 18 students.

26 (D) The job training component described in paragraph (1) shall
27 involve work experience and skills training apprenticeships related
28 to construction and rehabilitation activities described in paragraph
29 (4).

30 (2) Assistance in attaining postsecondary education and in
31 obtaining financial aid shall be made available to participants prior
32 to graduation from the program.

33 (3) Counseling services designed to assist participants in
34 positively participating in society, including all of the following,
35 as necessary:

36 (A) Outreach, assessment, and orientation.

37 (B) Individual and peer counseling.

38 (C) Life skills training.

39 (D) Drug and alcohol abuse education and prevention.

1 (E) Referral to appropriate drug rehabilitation, medical, mental
2 health, legal, housing, and other community services and resources.
3 A program shall have a goal of a minimum counselor-to-participant
4 ratio of one counselor for every 28 participants.

5 (4) Acquisition, rehabilitation, acquisition and rehabilitation,
6 or construction of housing and related facilities to be used for the
7 purpose of providing home ownership for disadvantaged persons,
8 residential housing for homeless individuals and very low income
9 families, or transitional housing for persons who are homeless, ill,
10 deinstitutionalized, or who have disabilities or special needs.

11 (5) Leadership development training that provides participants
12 with meaningful opportunities to develop leadership skills,
13 including decisionmaking, problem solving, and negotiating. A
14 program shall encourage participants to develop strong peer group
15 ties that support their mutual pursuit of skills and values.

16 (c) Each eligible community program shall work cooperatively
17 with local probation and parole offices to ensure appropriate
18 oversight of any eligible youth who enrolls and participates in the
19 program for the duration of the eligible youth's participation and
20 term of probation or parole. Eligible community programs shall
21 meet the requirements described in Article 4 (commencing with
22 Section 9800) of Chapter 2 of Part 1 of Division 3 of the
23 Unemployment Insurance Code.

24 (d) For purposes of this section, an "eligible youth" means a
25 person between ~~18~~ 16 and 23 years of age, who is economically
26 disadvantaged, as defined in Section 12511 of Title 42 of the
27 United States Code, and who is under the custody and control of
28 the Department of Corrections and Rehabilitation *or a county* on
29 or after January 1, 2008, and whose release or departure date is
30 scheduled for any date prior to January 1, 2010.

31 (e) No more than 200 eligible youth shall be enrolled pursuant
32 to this section. Priority of enrollment shall be given to eligible
33 youth who the department has determined to be gang affiliated, or
34 who have an immediate family member who has been identified
35 as gang affiliated.

36 (f) The department shall allocate twenty thousand dollars
37 (\$20,000) per year, or a fraction thereof, per enrolled youth, to
38 each eligible community program that enrolls an eligible youth
39 for each year of participation, or fraction thereof, to defray the
40 costs of the services provided by the eligible community program.

1 The department shall provide no less than 50 percent of each annual
2 payment at the time of enrollment of the eligible youth, and any
3 portion of an annual payment shall be made to the eligible
4 community program upon completion of each year of participation.
5 Each eligible community program shall return any fraction of
6 payment to the department commensurate with the participant's
7 actual participation. *Funding shall be used to supplement, rather*
8 *than supplant, existing programs.*

9 (g) The department shall maintain statistical information on the
10 success of this program, including, but not limited to, the number
11 of eligible youth served and the rate of return to prison for those
12 eligible youth who enroll and participate in an eligible community
13 program. This information shall be provided to the Legislature
14 upon request.

15 (h) This section shall remain in effect only until January 1, 2011,
16 and as of that date is repealed, unless a later enacted statute, that
17 is enacted before January 1, 2011, deletes or extends that date.